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REMARKS

Applicant thanks the Examiner for the remarks and analysis in the Non-Final Office Action. Claims 1, 3-5, 10 and 14-16 have been amended to clarify the content of those claims. New claim 18 is presented. Applicant respectfully requests reconsideration of this application.

Claim 1 has been amended to require activation of the signaling device by diverting power from the motor to the signaling device. This feature is not shown either alone or in combination by any of the cited references. Therefore, claim 1 is in condition for allowance.

Amended claim 4 depends from claim 1 and is therefore allowable. In addition, claim 4 requires that the switch be mounted electrically in parallel with the signaling device. This feature is not shown either alone or in combination by the prior art. Therefore, claim 4 is separately allowable.

Amended claim 5 depends from claim 1 and is therefore allowable. Claim 5 additionally requires that "when [the] switch is open, current will flow to [the] signaling device." This feature is not shown by the cited references either alone or in combination. Therefore, claim 5 is separately allowable.

Amended claim 10 requires a motor protector mounted in conjunction with a winding of a stator and a switch mounted within a compressor housing. Claim 10 further requires a signaling device which provides a signal external to the compressor housing when the switch is selectively opened. These features are not disclosed by the cited references either alone or in combination. Therefore, it is respectfully submitted that claim 10 is in condition for allowance.

Claim 14 has been amended to include a protector having a switch mounted within a compressor housing. Also, claim 14 requires that the signaling device be mounted

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electrically in parallel with the switch such that a signal is provided "outside [the] compressor housing by diverting power to [the] signaling device from [the] motor, wherein current flows to [the] signaling device when [the] switch is opened." The cited references fail to disclose all of these claimed features either alone or in combination. Therefore, claim 14 and those claims depending therefrom are respectfully submitted as being allowable.

New claim 18 depends from claim 10 and is therefore allowable. In addition, claim 18 requires that the switch is "in communication with a power source and [the] winding of said stator." This feature is not shown either alone or in combination by the cited references. Claim 18 is therefore separately allowable.

For the foregoing reasons, Applicant requests allowance of claims 1, 4-10 and 14-18.

The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number 571-273-8300, on October 28, 2005.


Beth A. Beard

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